



U.S. DEPARTMENT of STATE

Gabon

Country Reports on Human Rights Practices - [2003](#)

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Gabon is a republic dominated by a strong presidency. The Gabonese Democratic Party (PDG) has remained in power since 1968 and has circumscribed political choice. PDG leader El Hadj Omar Bongo, President since 1967, was reelected for a 7-year term in a 1998 election marred by irregularities. On July 14, the Parliament passed a Constitutional amendment that removes presidential term limits and facilitates a presidency for life. In May 2002, legislative by-elections were held and resulted in 107 National Assembly seats for the PDG and allied parties and 13 for the opposition. In February, the PDG won a majority of Senate seats. The judiciary was independent in principle but remained subject to government influence.

The national police, subordinate to the Interior Ministry, and the Gendarmerie, subordinate to the Defense Ministry, were responsible for domestic law enforcement and public security. Elements of the armed forces and the "Republican Guard," an elite, heavily armed unit that protects the President, sometimes performed internal security functions; both were subordinate to the Defense Ministry. Members of the security forces occasionally committed human rights abuses.

The country's mixed economy lacked diversity and depended heavily on foreign trade in oil, manganese, and wood; the population was approximately 1.2 million. The Government dominated the economy through oil refining, telecommunications, and timber export parastatals. Government financial mismanagement and corruption contributed to significant arrears in domestic and external debt payments. Revenues from oil production, which dropped from 18.5 million tons in 1997 to 12.2 million tons in 2002, contributed more than half of the budget of the country. The estimated per capital income was \$3,810; however, the distribution of wealth and social services was extremely uneven.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. The Government continued to limit citizens' ability to change their government. Security forces reportedly beat and tortured prisoners and detainees, prison conditions remained harsh, and security forces sometimes violently dispersed demonstrations. Arbitrary arrest and detention were problems. Authorities routinely infringed on privacy rights. The Government continued to restrict freedom of the press and movement. Violence and societal discrimination against women and noncitizen Africans continued to be problems. Forced labor, child labor, and trafficking--particularly in children--remained problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no political killings during the year; however, in July, a police recruit shot and killed a Congolese math teacher and injured a Nigerian tradesman. An investigation of the shooting, which apparently resulted from inadequate training, indicated that it was an accident.

A small number of ritualistic killings reportedly were committed during the year. No official connection to the murders was established, and the Government publicly criticized such practices. In April, a university student was mutilated and killed in what was believed to be a ritualistic murder. In May, six students organized a march on the Prime Minister's office to pressure authorities to take action against the perpetrators; however, no arrests were made by year's end, and none were expected.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces sometimes beat or tortured prisoners and detainees to extract confessions. Unconfirmed reports from the African immigrant community asserted that police and soldiers occasionally beat noncitizen Africans during operations to round up and deport illegal immigrants (see Section 1.f.). During the year, the U.N. High Commissioner for Refugees (UNHCR) confirmed that it received an average of five reports a day at two of its regional offices about continued harassment and extortion by security forces. There were reports that young girls were raped during the year.

Police violently dispersed strikes and demonstrations, and injured student demonstrators during the year (see Sections 2.b. and 6.b.).

There continued to be reports that practitioners of certain traditional indigenous religions inflicted bodily harm on other persons (see Section 1.a.).

Conditions in most prisons were harsh. Sanitation and ventilation were poor, food was poor, and medical care was almost nonexistent. Women were held separately from men, juveniles were held separately from adults, and pretrial detainees were held separately from convicted prisoners. There were no known visits by human rights monitors to prisons during the year; however, there were no reports that the Government impeded such visits.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the Government did not observe these prohibitions.

The police, who are responsible for law enforcement and public security, were inefficient, and police response times were slow. The national Gendarmerie is responsible for internal security and setting up checkpoints. Corruption was a serious problem, and security forces often used bribes at checkpoints to supplement their salaries.

The law provides up to 48 hours for initial detention, during which period police must charge a detainee before a judge; however, in practice, police rarely respected this timetable. Charges often were not filed expeditiously, and persons often were detained arbitrarily for short periods and occasionally detained for long periods. At arraignments, bail may be set if further investigation is required.

On July 3, authorities arrested five members of the Bongo Must Go party for vandalizing public buildings and trying to subvert state security. The five, who had erected signs bearing the message "Bongo Must Go," were convicted of vandalization and released on October 1.

On July 7, security forces arrested Gerard Ella Nguema, the leader of the national Gathering of Republican party, and several of his colleagues on charges of counterfeiting, coup plotting, and attempting to blow up government buildings. Nguema and his colleagues remained in prison awaiting trial at year's end.

Members of the security forces frequently detained individuals at roadblocks under the guise of checking vehicle registration and identity papers. Security forces generally used such operations to extort money.

Pretrial detainees have the right to free access to their attorneys, and this right was not restricted in practice. Detainees have the right to an expeditious trial. Pretrial detention, limited to 6 months for a misdemeanor and to 1 year for a felony charge, may be extended for 6 months by the examining magistrate. In practice, overburdened dockets resulted in prolonged pretrial detention. Approximately 40 percent of persons in custody were pretrial detainees.

The law prohibits forced exile, and the Government did not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary remained susceptible to government influence.

The judicial system includes regular courts, a military tribunal, and a civilian High Court of Justice. The regular court system includes trial courts, appellate courts, and the Supreme Court. The Constitutional Court is a separate body charged with examining constitutional questions, including the certification of elections. The High Court of Justice, last convened in 1990, is constituted by the Government as required to consider matters of security.

Systemic resource and personnel shortages in the judiciary often contributed to prolonged pretrial detention (see Section 1.d.).

The Constitution provides the right to a public trial and the right to legal counsel, and the Government generally respected these rights. Nevertheless, a judge may deliver an immediate verdict of guilty at the initial hearing in a state security trial if the Government presents sufficient evidence.

Minor disputes may be taken to a local chief, particularly in rural areas; however, the Government did not recognize such decisions.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice. As part of criminal investigations, police may request search warrants from judges, which they obtained easily, sometimes after the fact. The Government has used search warrants to gain access to the homes of opposition figures and their families.

During the year, security forces conducted three major warrantless searches for illegal immigrants and criminals using street stops and identity checks (see Section 1.c.). Gendarmes stopped and searched vehicles at roadblocks, soldiers and police conducted house-to-house searches in impoverished neighborhoods, and police frequently stopped vehicles to extort bribes.

Unlike in the previous year, the Government did not destroy housing of legal immigrants.

Authorities reportedly routinely monitored private telephone conversations, personal mail, and the movements of citizens.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, although citizens generally continued to speak freely and to criticize the Government, the Government continued to restrict press freedom. Legislators in the National Assembly openly criticized government policies, ministers, and other officials.

The only daily newspaper was the state-affiliated L'Union. Approximately nine privately owned weekly or monthly newspapers represented independent views and those of various political parties; however, most appeared irregularly due to financial constraints or in some cases, government suspension of their publication licenses. Gabaon, a satirical newspaper that was suspended in 2002 for criticizing the Senate president, resumed publication during the year; however, the newspaper Misamu, which was suspended in 2002 after reporting on official corruption, has not published since its suspension. All newspapers--including L'Union--criticized the Government and political leaders of all parties. Foreign newspapers and magazines were available widely.

The Government owned and operated two radio stations that broadcast throughout the country. Much of their news coverage concerned the activities of government officials; however editorials sometimes criticized specific government policies or ministers. Seven privately owned radio stations were operating at year's end; most were apolitical. International radio stations, including Voice of America and Radio France International, broadcast locally.

The Government owned and operated two television stations, RTG-1 and RTG-2. Four privately owned television

stations transmitted 8 hours per day. Satellite TV reception was available.

During the year, several journalists claimed they were harassed after publishing criticism of the Government and that they had received indirect warnings that they interpreted as death threats; there were reports that government authorities, including some ministers, were involved in the threats.

The Communications Code stipulates that penalties for libel and other offenses include a 1- to 3-month publishing suspension for a first offense and a 3- to 6-month suspension for repeat offenses. Editors and authors of libelous articles can be jailed for 2 to 6 months and fined \$700 to \$7,000 (500,000 to 5 million CFA francs). Libel can be either a criminal offense or a civil matter. The law authorizes the Government to initiate criminal libel prosecution against persons for libeling elected government officials; it also authorizes the State to criminalize civil libel suits.

In May, the National Communications Council (CNC) suspended publication of four newspapers: The independent, satirical Misamu for 1 month in response to a conflict between shareholders over ownership rights; Le Temps, an independent, satirical newspaper, for 3 months for publishing allegations that the Government had budgeted \$75 million (50 billion CFA francs) for independence day festivities; the independent Jeunesse Action briefly for "lack of journalistic ethics" in publishing without sufficient verification; and L'Espoir briefly for failure to conform with administrative registration requirements.

In September, the CNC accused Sub-Version, an independent, satirical newspaper, and La Sagaie, a bi-monthly newspaper, of trying to destabilize the administration; Sub-Version was seized, and La Sagaie was suspended. The editors and publishers of both newspapers were given a suspended prison sentence of 21 days and fined \$545 (300,000 CFA francs).

The Government did not restrict access to, or use of, the Internet. Three Internet service providers, one state-owned and two privately operated, functioned. In urban areas, cyber cafes provided relatively affordable access to the Internet.

The Government did not restrict academic freedom, and unlike in the previous year, the Government did not shut down state-funded universities because of strikes.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedoms of assembly and association, and the Government generally respected these rights in practice; however, on occasion security forces violently dispersed demonstrations and strikes. The law requires that groups obtain permits for public gatherings in advance, and the Government usually granted them.

On June 30, gendarmes violently dispersed a demonstration by students from Omar Bongo University; the students were demanding payment of their scholarships. Numerous students were injured. No action was taken against responsible security forces by year's end.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respected this right in practice.

Some Protestant denominations alleged that the government television station accords free air time to the Catholic Church but not to minority religious groups. Others alleged that the armed forces favor Roman Catholics and Muslims in hiring and promotions.

The Ministry of the Interior maintained an official registry of religious groups; however, it did not register traditional religious groups. The Government did not require religious groups to register but recommended that they do so to assemble with full constitutional protection.

The Government has refused to register approximately 10 religious groups, including Jehovah's Witnesses. A decree banning Jehovah's Witnesses remained in effect; however, the Government did not enforce the decree. The Government has made uncorroborated claims that it permits Jehovah's Witnesses to proselytize.

For a more detailed discussion, see the [2003 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2003/27728pf.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government frequently restricted them in practice. There were no legally mandated restrictions on internal movement; however, police and gendarmes continued to frequently stop travelers to check identity, residence, or registration documents, and members of the security forces harassed expatriate Africans working legally as merchants, service sector employees, and manual laborers (see Sections 1.c. and 1.f.). They extorted bribes and demanded services with threats of confiscation of residency documents or imprisonment. Residency permits cost up to \$150 (100,000 CFA francs), and first-time applicants also must provide the cost of a one-way air ticket to their country of origin. In theory, but usually not in practice, the Government refunds the cost of the air ticket when the individual departs the country permanently.

The Government intermittently enforced an internal regulation requiring married women to have their husbands' permission to travel abroad. During the year, there were numerous reports that authorities refused to issue passports for travel abroad with no explanation. There also were reports of unreasonable delays in obtaining passports, and in October, the Government promised a 3-day turnaround time for processing passport applications; however, delays in issuance of passports continued.

The law provides for the granting of refugee status and asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status or asylum. The Government generally cooperated with the office of the UNHCR and provided temporary protection to certain individuals who fall outside the definition of the Convention. However, refugees have complained about widespread harassment, extortion, and detentions by security forces. At year's end, approximately 19,000 refugees remained in the country, including 13,400 from the Republic of the Congo; approximately 1,700 of the refugees applied for repatriation during the year. Approximately 5,700 persons from the Republic of the Congo seeking asylum also resided in the country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, mismanagement and serious irregularities in both the 1998 presidential elections and the December 2001 legislative elections limited this right in practice. A single party, the PDG, has remained in power since its creation by President Bongo in 1968, and political choice has remained limited.

The country is dominated by a strong Presidency. While the legislature is not in session, the President can veto legislation, dissolve the national legislature, call new elections, and issue decrees that have the force of law. The legislature generally approved legislation presented to it by the President. The President appoints and can dismiss judges through the Ministry of Justice, to which the judiciary is responsible. The President appoints ministers of government and heads of parastatal firms.

President Bongo, who has been President since 1967, was re-elected for another 7-year term in a 1998 election marred by irregularities that generally favored his incumbency, including incomplete and inaccurate electoral lists, and the use of false documents to cast multiple votes. On July 14, the Constitution was amended to remove all term limits.

In May 2002, legislative by-elections were held to fill seats nullified in the 2001 legislative elections, which resulted in the PDG and allied parties holding 107 and the opposition holding 13 seats in the National Assembly.

Senatorial elections were held in February, and the PDG won a majority of the 91 seats. There were widespread reports of irregularities in the February elections, which were considered neither free nor fair. Municipal and regional government officials elect the senators, who serve 6-year terms. All the senators were either members of the PDG or of political parties linked to the PDG.

The ability of citizens to choose provincial governments remained limited in practice. Provincial governors, prefects, and sub-prefects were officers of the central Government responsible to and appointed by the President. Mayors and municipal councils were elected; however, municipal governments had limited financial autonomy and depended heavily on funding from the central Government.

In December 2002, country-wide municipal elections were held. The PDG party won 85 percent of all seats; however, the level of voter abstention was extreme, reaching 100 percent in some precincts.

Opposition parties included the National Lumberjack Assembly-Gabonese People's Assembly (RNB-RPG) and the

Gabonese Progressive Party (PGP). Members of the Fang ethnic group constituted the RNB-RPG's political base. The PGP was supported in Port Gentil, the center of the country's petroleum industry, and among the Myene ethnic group; however, ideological splits and rivalries limited its effectiveness.

Members of all major ethnic groups continued to occupy prominent positions; however, members of the President's Bateke ethnic group and other ethnic southerners held a disproportionately large number of key positions in the military and security forces. The General Chief of Staff, the Minister of Defense, the Chief of the Republican Guard, and the Minister of Interior were from the same region as the President or from the same ethnic group.

There were no restrictions on the participation of women and minorities in politics. At year's end, 11 of 120 members of the National Assembly, 12 of 91 senators, and 5 of 43 government ministers were women. Indigenous Pygmies rarely participated in the political process, and the Government has made only limited efforts to include them (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few independent human rights groups generally operated without government restriction, investigating and publishing their findings. Governmental officials took no actions on the recommendations of such groups. In 2002, the Government created a Ministry of Human Rights; however, it was inactive during the year. In October, the Senate failed to gather a quorum to discuss legislation to establish an independent human rights commission to advise and assist the Minister of Human Rights.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution forbids discrimination based on national origin, race, gender, or opinion; however, the Government did not enforce these constitutional provisions uniformly, and there was considerable discrimination against women, especially in domestic affairs. Security forces also discriminated against noncitizens. The Government provided a lower level of health care and educational services to children of other African nationalities than it provided to citizens.

Women

Domestic violence against women was believed to be common, especially in rural areas; however, there were few reports of such violence during the year. Police rarely intervened in such incidents, and women virtually never filed complaints with civil authorities. Only limited medical and legal assistance for rape victims was available.

Female genital mutilation (FGM) was believed to occur among the resident population of noncitizen Africans; however, there were no reports of such practices during the year.

The Government and nongovernmental organizations (NGOs) reported cases of female domestic workers (often victims of child trafficking) who were sexually molested by employers.

The law provides that women have rights to equal access in education, business, and investment. Women owned businesses and property, participated in politics, and worked throughout the Government and the private sector. Nevertheless, women continued to face considerable societal and legal discrimination, especially in rural areas.

By law, couples must stipulate at the time of marriage whether they intend to adhere to a monogamous or a polygynous relationship; polygynous marriages were more common. For monogamous married couples, a common property law provides for the equal distribution of assets after divorce. In a polygynous marriage, a husband is obligated to give all wives the same level of financial support; however, he may marry additional wives without permission from his existing wives. Wives who leave polygynous husbands received half of their existing support as a one-time payment. In inheritance cases, the husband's family must issue a written authorization before his widow can inherit property. Common law marriage, which was accepted socially and practiced widely, afforded women no property rights.

A regulation requires that a woman obtain her husband's permission to travel abroad. This requirement was not enforced consistently.

Children

The Government has used oil revenue to build schools, pay teachers' salaries, and promote education, even in rural areas; however, the upkeep of schools and payment of teachers has declined in recent years. Education is compulsory until age 16 and generally is available through sixth grade; however, fewer than half of secondary school-age children attended school. Secondary school attendance rates for immigrant children were lower, although public schools accepted immigrant children, and the Government encouraged them to attend. Students were required to pay for books, uniforms, and other school supplies, which precluded numerous children from attending school. Despite low enrollment, a U.N. agency estimated that 64 percent of women and 78 percent of men were literate.

The country's infant mortality rate was 5.7 percent; only approximately 16 percent of children had been vaccinated. Although international donors worked to improve the situation, the Government allocated few resources for vaccines or logistical support to administer them. Children remained the responsibility of the extended family. There was little evidence of physical abuse of children, although there were occasional reports that family members sexually abused girls who had passed puberty. The law provides for protection against child labor and sexual and physical abuse; however, there were no known prosecutions of individuals involved in such activities during the year.

FGM was performed on girls in the resident population of expatriate Africans (see Section 5, Women).

Concerns about the problems facing the large community of children of noncitizen Africans persisted. Almost all enjoyed far less access to education and health care than did citizen children; some were victims of child trafficking and abuses (see Sections 6.d. and 6.f.).

Child labor remained a serious problem (see Section 6.d.).

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or provide for access to buildings or services; however, there were no reports of official discrimination against persons with disabilities. There was some societal discrimination against persons with disabilities, and employment opportunities and treatment facilities were limited.

Indigenous People

The Baka (Pygmies) are the earliest known inhabitants of the country. Several thousand Pygmies lived in large tracts of still-intact rain forest in the northeast. The law grants them the same civil rights as other citizens; however, Pygmies remained largely independent of formal authority, keeping their own traditions, independent communities, and local decision-making structures. Pygmies did not participate in government-instituted programs that integrated many small rural villages into larger ones along major roads. Pygmies suffered societal discrimination, often lived in extreme poverty, and did not have easy access to public services. There were no specific government programs or policies to assist Pygmies.

In 2001, an NGO study of the Bukoya Pygmy population in the northeast found that most Pygmies lived in conditions tantamount to slavery, working on plantations for "Gabonese masters" for one plate of rice and a few cents per day. The NGO described the children born to Pygmy families in these situations as the "property" of the master. A typical family lived on 13 cents per day. Pygmies who complained about their situation faced the possibility of being beaten.

Section 6 Worker Rights

a. The Right of Association

The Constitution places no restrictions on the right of association and recognizes the right of citizens to form trade and labor unions, and workers exercised this right in practice. Virtually the entire private sector workforce was unionized. Unions must register with the Government to be recognized officially. Public sector employees may unionize, although their right to strike is limited if a strike could jeopardize public safety.

Many independent unions, including powerful unions of teachers, civil servants, transport workers, and communications workers, have formed the Gabonese Confederation of Free Unions (CGSL). The Gabonese Labor Confederation (COSYGA) continued to be affiliated with the Government but criticized some government policies

as contrary to labor interests. The Labor Code provides extensive protection of worker rights.

While no laws specifically prohibit anti-union discrimination, the court may require employers who are found guilty by civil courts of having engaged in such discrimination to compensate employees.

Unions and confederations were free to affiliate with international labor bodies and participate in their activities. COSYGA was affiliated with the Organization of African Trade Union Unity, while the CGSL was affiliated with the International Confederation of Free Trade Unions. Both COSYGA and CGSL had ties to international labor organizations.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining by industry, not by firm; collectively bargained agreements set wages for whole industries. Labor and management met to negotiate differences, and the Ministry of Labor provided observers. The observer does not take an active role in negotiations over pay scales, working conditions, or benefits. Agreements negotiated by unions also applied to non-union workers.

The Labor Code provides for the right to strike after an 8-day notice advising that outside arbitration failed. However, in September, a social truce signed by the Government, employers, and the country's main trade unions provided for a 3-year hiatus on strikes and the creation of a 35-member mediation committee to negotiate disputes. Union support for the social truce resulted from governmental concessions on price reductions for basic goods, reduced living standards for governmental ministers, and other governmental reforms. The Labor Code prohibits direct government action against individual strikers who abide by the arbitration and notification provisions.

Prior to September, there were numerous strikes in the timber, media, hospital, and oil sectors.

In May, journalists and technicians of RTG, the national television station, and public hospital workers in Libreville conducted a strike for nearly 2 months to demand better working conditions and salary increases. Both strikes ended when President Bongo intervened with promises of improved working conditions.

On June 15, laid-off lumber workers from the Cora Wood Company staged a strike in Port Gentil to demand payment of higher indemnities than the Government promised and paid in 2002 after the 1991 buyout of their former state-owned company, Gabon Forest. On August 12, the lumber workers conducted a second strike after government promises to address their concerns were not kept. Security forces briefly arrested strike leaders and violently dispersed the strikers, who had erected barricades to block other lumber companies from shipping timber through the city harbor.

During the year, there were two 1-day strikes by oil truck drivers; both were resolved peacefully through negotiation.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor; however, there were reports that such practices occurred, including by children (see Sections 6.d. and 6.f.). Some Pygmies reportedly lived in conditions tantamount to slavery (see Section 5)

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor was a serious problem. Children below the age of 16 may not work without the express consent of the Ministries of Labor, Education, and Public Health. The Legal Code stipulates fines and prison sentences for violations of the minimum age for work. The ministries rigorously enforced this law in urban areas with respect to citizen children, and few citizens under the age of 18 worked in the formal wage sector; however, child labor was common in rural areas, where the law was seldom enforced. A significant number of children--primarily foreign--worked in marketplaces or performed domestic duties; many of these children were the victims of child trafficking (see Section 6.f.). Such children generally did not go to school, received only limited medical attention, and often were exploited by employers or foster families. Laws forbidding child labor theoretically extended protection to these children as well, but abuses often were not reported. A 2001 International Labor Organization (ILO) study estimated that the number of economically active children between the ages of 10 and 14 years was 19,000 to 20,000, but the actual number was probably considerably higher since most children worked in the informal sector.

The Ministry of Justice is responsible for implementing and enforcing child labor laws and regulations. Inspectors from the Ministry of Labor are responsible for receiving, investigating, and addressing child labor complaints. However, the inspection force was inadequate, complaints were not investigated routinely, and consequently, violations were not systematically addressed.

e. Acceptable Conditions of Work

The Labor Code governs working conditions and benefits for all sectors and theoretically provides a broad range of protection to workers; however, the Government sometimes did not respect these protections in practice. According to law, representatives of labor, management, and the Government meet annually to examine economic and labor conditions and to recommend a minimum wage rate to the President, who then issues an annual decree; however, this procedure had not been followed since 1994, in part because the Government was following a policy of wage austerity recommended by international financial institutions. The monthly minimum wage was approximately \$91 (60,000 CFA francs); government workers received an additional monthly allowance of \$30 (20,000 CFA francs) per child. Government workers also received transportation, housing, and family benefits. The law does not mandate housing or family benefits for private sector workers. The minimum wage did not provide a decent standard of living for a worker and family.

The Labor Code stipulates a 40-hour workweek with a minimum rest period of 48 consecutive hours. Employers must compensate workers for overtime work. All companies in the formal sector paid competitive wages and granted the fringe benefits required by law, including maternity leave and 6 weeks annual paid vacation.

The Ministry of Health established occupational health and safety standards, but it did not enforce or regulate them. The application of labor standards varied from company to company and between industries. In the formal sector, workers may remove themselves from dangerous work situations without fear of retribution.

The Government reportedly did not enforce Labor Code provisions in sectors where the majority of the labor force was foreign. Foreign workers, both documented and undocumented, may be obliged to work under substandard conditions; may be dismissed without notice or recourse; or may be mistreated physically, especially in the case of illegal aliens. Employers frequently required longer hours of work from noncitizen Africans and paid them less, often hiring on a short-term, casual basis to avoid paying taxes, social security contributions, and other benefits.

f. Trafficking in Persons

No law specifically prohibits trafficking in persons; however, the country was a destination for trafficked persons, and trafficking in children was a serious problem. The Government did not actively investigate cases of trafficking and has not prosecuted any cases against traffickers; however, individuals accused of trafficking have been deported from the country. There were reports that some trafficked women and children were sexually abused.

On March 26, Guy Nzouba Ndama, the President of the National Assembly, introduced a bill that would criminalize trafficking of children in the country. In July, Parliament passed the bill and forwarded it to the Senate for ratification. The bill was pending ratification at year's end.

According to several local NGOs, children (especially girls) primarily from Benin and Togo, were used as domestic servants or in the informal commercial sector. Nigerian children, also victims of trafficking, worked in the informal commercial sector as mechanics.

There were unconfirmed reports that some government officials employed trafficked foreign children as domestic workers, and that individual police and immigration officers were involved in facilitating child trafficking.

On April 4, UNICEF and the Government inaugurated a jointly sponsored toll-free assistance hotline for child trafficking victims in Libreville. The call center, which provided 24-hour response assistance and arranged free transport to a victims' shelter, received approximately 50 calls in its first week of operation. The Government also ran a shelter for trafficking victims.

An inter-ministerial committee comprised of representatives from the Labor, Justice, Foreign Affairs, and Family Ministries was involved in anti-trafficking efforts. The Government also cooperated with UNICEF. In May 2002, the Government and the ILO launched a 3-year project on the prevention of child trafficking and child labor in the country.